

Sadie E. Kimmel, a witness of lawful age, the plaintiff, having been first duly sworn, testified as follows:

Questions by Walter E. Sinn, solicitor for plaintiff.

Q. Please state your full name, age and address.

A. Sadie E. Kimmel; I am 46 years of age; my address is Route No. 1, Frederick, Md.

Q. Were you formerly married to William W. Kimmel?

A. Yes

Q. When did William W. Kimmel die?

A. October 11, 1946

Q. Were there any children born as a result of your marriage to William W. Kimmel?

A. Yes, one child, William L. Kimmel, who was born on January 25, 1938

Q. Did William W. Kimmel leave a Will?

A. No, he left no Will.

Q. Who are the heirs-at-law and next-of-kin of William W. Kimmel?

A. I, his surviving widow, and William L. Kimmel, his son.

Q. Did William W. Kimmel have any personal estate?

A. Yes

Q. Were letters of administration granted in the estate of William W. Kimmel?

A. Yes

Q. To whom were letters of administration granted in the estate of William W. Kimmel?

A. To me as his administratrix on October 21, 1946, by the Orphans Court of Frederick County, Maryland.

Q. Is the personal estate of William W. Kimmel sufficient to pay all of his debts?

A. Yes

Q. Did William W. Kimmel own any real estate in his individual name at the time of his death on October 11, 1946?

A. Yes. He owned a small farm containing sixty-nine acres near New London, in New Market District, Frederick County, Maryland, at the time of his death.

Q. Mrs. Kimmel, I show you a certified copy of a deed marked "Plaintiffs' Exhibit No. 1" and ask you if this deed correctly describes the property owned by William W. Kimmel in his individual name at the time of his death?

A. Yes, it does. It is a deed from William S. Kelley and Sallie A. Kelley, his wife, dated March 29, 1934 to William W. Kimmel, conveying 69-1/4 acres of land, more or less, and the improvements thereon, in New Market District, Frederick County, Maryland.

(certified copy of deed offered in evidence and marked "Plaintiffs' Exhibit No. 1)

Q. Can this farm be divided between you and your minor son, William L. Kimmel, without loss or injury?

A. No, the property will have to be sold and the proceeds divided between us.

Q. Mrs. Kimmel, I show you a contract of sale entered into between you in your individual capacity, and as mother and next friend